

new foil or paper claim has been filed. The claims for the Group II invention have been canceled without replacement. On the other hand, new claim 59 has been filed, which includes some subject matter from claim 41 regarding the paper or foil (claim 59 is drafted so that the paper or foil is considered part of the cosmetic preparation).

The only composition claims pending are now "cosmetic preparation" claims that consist of a gel comprising undissolved water-swollen particles of at least one superabsorbing polymer. In other words, gels for cosmetic applications are claimed. On the other hand, the gels are limited to hair fixing gels and hair care gels in claims 57 and 58. Only a single independent claim 43 has been filed. The subject matter of claim 29, which was an independent claim, is not included in dependent claim 52.

The distinguishing feature for the claims is that the cosmetic compositions claimed and used in the method claims are "gels with undissolved water-swollen particles of at least one superabsorbing polymer". This is the common technical feature that distinguishes the claimed invention from the prior art and the terms in this feature are definite.

Claims 43 to 68 have been filed containing the subject matter of claims 22 to 42. These claims have been drafted to comply with the formal rules of the U.S. Patent Office. Claims 60 to 67 include the features of the canceled "use" claims. Claim 68 contains the features of canceled claim 42.

Claims 69 to 75 are new dependent claims similar to claims 61 to 67.

Standard section headings have been added.

Should the Examiner require or consider it advisable that the specification, claims and/or drawing be further amended or corrected in formal respects to put this case in condition for final allowance, then it is requested that such amendments or corrections be carried out by Examiner's Amendment and the case passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing the case to allowance, he or she is invited to telephone the undersigned at 1-631-549 4700.

In view of the foregoing, favorable allowance is respectfully solicited.

Respectfully submitted,



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